## Cumulative Table of Cases Connecticut Appellate Reports Volume 189

## (Replaces Prior Cumulative Table)

Cohen v. King	85
$Defamation; fraud; absolute\ immunity; litigation\ privilege; motion\ to\ dismiss; claim$	
that trial court improperly concluded that doctrine of litigation privilege barred	
action against defendant attorney based on allegedly defamatory and false state-	
ments made by defendant in answer to grievance complaint filed by plaintiff against defendant; whether trial court properly concluded that litigation privilege	
extends absolute immunity to statements made to attorney disciplinary authority	
by attorney who was subject of grievance complaint; claim that litigation privilege	
did not apply because complaint pleads facts suggesting that defendant abused	
judicial process and breached professional duty of candor.	
Countrywide Home Loans Servicing, LP v. Pires (Memorandum Decision)	903
Cyganovich v. Cyganovich	164
Dissolution of marriage; appeal from judgment of trial court resolving postjudgment	101
motions of parties; whether trial court, in granting motion for modification of	
child support, improperly calculated defendant's modified child support obliga-	
tion; whether defendant was entitled to modified child support in amount calcu-	
lated according to formula applicable to split custody arrangement where parties	
had shared custody of child; whether record supported contention that parties	
spend equal amounts of money to support child.	
Deutsche Bank National Trust Co. v. Siladi (Memorandum Decision)	902
Dicker $v$ . Dicker	247
Dissolution of marriage; motion for contempt; claim that trial court erred in finding	
that plaintiff had violated its medical reimbursement order and in finding,	
on that basis, that she owed defendant certain unpaid unreimbursed medical	
expenses; whether trial court erred in finding that defendant's accounting sum-	
maries as to amounts he had paid for medical expenses of parties' children were	
credible; claim that defendant's medical expense summaries were unsubstanti-	
ated and irreconcilable with record; whether trial court erred in its method of	
calculation of amounts that parties owed to each other; claim that trial court	
abused its discretion in denying motion for contempt; whether trial court's find-	
ing that defendant was not in contempt for withholding from plaintiff certain	
payment he owed for children's extracurricular activities was supported by	
record; whether trial court abused its discretion by permitting defendant uni-	
laterally to deduct undisputed unpaid unreimbursed medical expenses owed by plaintiff from future payments defendant owed to plaintiff for children's	
extracurricular activities; whether trial court's remedial order was manifestly	
unreasonable; claim that trial court abused its discretion in denying motion to	
rearque; whether trial court correctly concluded that plaintiff had ample opportu-	
nity to submit any relevant evidence prior to final hearing on parties' motions	
but chose not to do so; claim that trial court violated plaintiff's due process right	
to be heard when it denied her motion for contempt before she had rested her	
case-in-chief; whether it was within discretion of trial court to deny plaintiffs	
claim for contempt where there was adequate factual basis to explain defendant's	
failure to honor prior court orders.	
Garden Homes Profit Sharing Trust, L.P. v. Cyr	75
Summary process; nonjoinder of party; whether trial court had authority to raise,	• •
sua sponte, issue of nonjoinder of necessary party in absence of motion to strike	
filed by defendant; whether trial court improperly rendered judgment in favor	
of defendant on basis of nonjoinder without giving plaintiff opportunity to add	
necessary party to action in violation of relevant statute (§ 52-108) and rules	
of practice (§§ 9-19 and 10-44).	
Harris v. Commissioner of Correction (Memorandum Decision)	903
Harvey $v$ . Dept. of Correction	93
Wrongful death; sovereign immunity; claim that trial court improperly granted motion to dismiss action for lack of subject matter jurisdiction; whether action	
movem to atomico action for tack of subject matter furtoutciton, whether action	

was time barred pursuant to statute (§ 4-160 [d]) that requires plaintiff who has been granted authorization to sue state by Claims Commissioner to bring action within one year from date authorization was granted; claim that action was not untimely because applicable statute of limitations (§ 52-555) for wrongful death action, which permits action to be brought within two years from date of decedent's death, had not expired and is not limited by § 4-160 (d); whether plaintiff was required to comply with both one year limitation period provided in § 4-160 (d) and statute of limitations for wrongful death action set forth in § 52-555; claim that action was timely because limitation period prescribed in § 4-160 (d) was extended by statute (§ 52-594).	
Holbrook v. Commissioner of Correction	108
Habeas corpus; whether habeas court properly denied petition for writ of habeas corpus; whether habeas court properly determined that petitioner failed to prove that prior habeas counsel rendered ineffective assistance by failing to pursue claim that trial counsel had been ineffective; claim that trial counsel's decision not to call witness constituted deficient performance; claim that prosecution suppressed favorable evidence when it delayed making plea offer to eyewitness until after eyewitness testified in petitioner's criminal trial.	
Ibrahim $v$ . Chapdelaine (Memorandum Decision)	901
Ion Bank v. J.C.C. Custom Homes, LLC Replevin; action by way of replevin to recover certain collateral in defendants' possession; claim that trial court improperly granted defendants' motion to dismiss because amended complaint filed by plaintiff cured any defect regarding plaintiffs standing; claim that plaintiff properly substituted proper party as plaintiff by operation of law by filing amended complaint in compliance with relevant rule of practice (§ 10-59); whether plaintiff was required to file motion for permission to substitute proper party as plaintiff; whether trial court abused its discretion in declining to treat amended complaint as motion to substitute parties; claim that plaintiff, as assignor of note, had standing to maintain replevin action on behalf of its assignee.	30
Levine $v$ . Hite	281
Personal injury; whether plaintiff's due process rights were violated when trial court reconsidered, sua sponte, ruling of prior trial court and permitted defendants to engage in further discovery; whether trial court abused its discretion in rendering judgment of nonsuit against plaintiff for failing to comply with three previous court orders concerning discovery; whether trial court abused its discretion when it ruled on defendants' motion for judgment of nonsuit prior to considering plaintiff's motion for order of sanctions against defendants' counsel.	
Lively $v$ . Commissioner of Correction (Memorandum Decision)	901
Marino v. Statewide Grievance Committee	7
McKiernan v. Civil Service Commission	50
Declaratory judgment; action seeking declaratory judgment that plaintiff be allowed to retake oral assessment portion of certain police detective promotional examination; claim that trial court erred by rendering judgment in favor of defendants on basis of its finding that oral assessment was administered in accordance with requirements of city charter; whether trial court's finding that test administrators provided plaintiff with all necessary test materials for oral assessment was clearly erroneous; whether trial court's finding that supervising test administrator's description of procedures followed during examination was corroborated by other witnesses was clearly erroneous; claim that trial court erred in concluding that examination was administered in reasonable manner even though test administrators failed to take any steps to provide plaintiff with allegedly missing test materials: whether oral assessment was given in compliance with requirements	50

of city charter despite tack of system to keep track of test materials; claim that	
examination was unreasonable and arbitrary because it was not administered	
in uniform manner; claim that instructions given to test participants on video	
in assessment room were different from those set forth in documents given in	
$preparation\ room.$	
Mountain v. Mountain	228
Dissolution of marriage; whether trial court erred in denying postjudgment motion	
for modification of unallocated alimony and child support obligation; whether	
trial court erred in finding that there had been no substantial change in circum-	
stances to support modification of unallocated alimony and child support obliga-	
tion; reviewability of claim that trial court erred in finding that plaintiff failed	
to prove that he was no longer able to meet financial obligations to defendant by	
borrowing money from his current wife.	
PMC Property Group, Inc. v. Public Utilities Regulatory Authority	268
Administrative appeal; appeal from trial court's judgment affirming in part decision	_00
of defendant Public Utilities Regulatory Authority, which found that plaintiffs	
had engaged in unauthorized submetering of electricity and imposed sanctions;	
claim that trial court erred in deferring to authority's definition of electric	
submetering because authority previously had not established what constitutes	
electric submetering and, thus, its definition was not time-tested; whether trial	
court properly determined that, due to technical nature of definition, it was	
appropriate to defer to authority's definition of submetering; claim that trial	
court erred in concluding that heating and air conditioning system fell within	
authority's definition of submetering because definition of submetering in authority's previous decision was applicable only to submetering in context of	
public gas utilities and, thus, was not applicable to electric submetering; claim	
that fundamental component of electric submetering is furnishing of electric	
service by nonutility such that electric service is physical delivery through wires	
of electricity to end user for consumption, combined with measuring electric	
consumption with electric submeter.	
Premier Capital, LLC v. Shaw	1
Standing; action to enforce judgment; whether trial court lacked subject matter	
jurisdiction due to plaintiff's lack of standing; whether designation of wrong	
entity as plaintiff was scrivener's error; whether trial court should have dismissed	
case rather than deciding it on merits.	
Saint Francis Hospital & Medical Center v. Malley	68
Default judgment; default for failure to appear; claim that rendering of default	
judgment was improper and constituted plain error; whether it was improper	
to enter default against defendant for failure to appear where defendant's counsel	
was present in court; whether consequences of court's error were so grievous as	
$to\ be\ fundamentally\ unfair\ or\ manifestly\ unjust;\ whether\ unwarranted\ rendering$	
of default judgment against defendant was likely to undermine public confidence	
in judiciary.	
Silano v. Cooney	235
Defamation per se; libel per se; slander per se; whether trial court properly rendered	
judgment in favor of defendant business owner on plaintiff's claims of slander	
per se and libel per se; claim that trial court applied law incorrectly when it	
concluded that harassment in second degree in violation of statute (§ 53a-183)	
did not involve moral turpitude; whether trial court's finding that business	
owner's statements to police were not defamatory because they were true was	
clearly erroneous.	
Simpson v. Lee (Memorandum Decision)	901
	119
State v. Bischoff	119
Possession of narrowics, possession of less than four ounces of carmadis-type sub-	
stance; motion to correct illegal sentence; claim that 2015 amendment of statute applicable to possession of narcotics (§ 21a-279 [a]) applied retroactively and	
applicable to possession of narcoites (§ 21a-279 [a]) applied retroactively and	
entitled defendant to resentencing on conviction of possession of narcotics;	
whether this court is bound by precedent from our Supreme Court; whether trial court should have rendered judgment denying rather than dismissing motion to	
correct illegal sentence.	1-1
State v. Euclides L	151
Risk of injury to child; claim that trial court improperly failed to instruct jury that	
it should acquit defendant if it concluded that his use of force in caring for his	
daughter was accident; whether trial court's charge to jury was legally correct	
and adequately instructed jury on issue of accident; whether separate accident	

charge was required; whether trial court's general intent instruction adequately addressed issue of accident.	
State v. Grasso.	186
Manslaughter in first degree with firearm; whether state failed to disprove beyond reasonable doubt claim that defendant acted in self-defense when she shot victim; whether evidence supported finding that defendant's use of deadly physical force was premature; unpreserved claim that defendant's rights to due process and to effective assistance of counsel were violated when trial court denied jury's request to rehear closing arguments of prosecutor and defense counsel; claim that defendant waived claim when defense counsel failed to object to court's proposed response	100
to request of jury and affirmatively stated that he did not object to it.	
State v. Mukhtaar	144
Murder; motion to correct illegal sentence; whether court properly concluded that it	
lacked jurisdiction to consider issues raised in motion to correct illegal sentence;	
whether claims raised by defendant in motion to correct addressed pretrial pro-	
ceedings and criminal trial and did not attack sentencing proceeding itself.	
Taing v. CAMRAC, LLC	23
Employment discrimination; pregnancy discrimination; whether trial court properly granted motion for summary judgment in favor of defendant; claim that genuine issue of material fact existed as to whether defendant's proffered reason for terminating plaintiff's employment was pretextual.	
U.S. Bank National Assn. v. Rago (Memorandum Decision)	902
Vazzano v. Reveron (Memorandum Decision)	902
Williams v. State	172
Negligence; claim that trial court framed issue of case too narrowly and improperly failed to consider all instances of negligence alleged in complaint; reviewability of claim that trial court improperly failed to consider certain statutes, state highway safety regulations, and standards in ruling on complaint.	
Yuille v. Parnoff	124
Conversion; statutory theft; alleged misappropriation of funds held in escrow pending resolution of parties' dispute over attorney's fees; claim that trial court abused its discretion by ordering defendant to commence trial after allowing his attorney to withdraw, without affording him time to obtain new counsel; claim that verdict in favor of plaintiff on counts of conversion and statutory theft was irreconcilably inconsistent with verdict in favor defendant on count alleging breach of fiduciary duty; claim that trial court improperly declined to submit special defense of waiver to jury.	